United Nations S/2004/590

Security Council

Distr.: General
23 July 2004

Original: English

Letter dated 23 July 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Egypt to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the final statement of the Sixth Conference of the Ministers for Foreign Affairs of States Neighbouring Iraq, which was held in Cairo on 21 July 2004 (see annex).

I should be grateful if you would arrange for the statement to be distributed as a document of the Security Council.

(*Signed*) Amr **Aboul Atta**
Chargé d'affaires a.i. and Deputy Permanent Representative

04-43900 (E) 260704

Annex to the letter dated 23 July 2004 from the Chargé d'affaires a.i. of the Permanent Mission of Egypt to the United Nations addressed to the President of the Security Council

[Original: Arabic and English]

Final statement of the Sixth Conference of the Ministers for Foreign Affairs of States Neighbouring Iraq

Cairo, 21 July 2004

Upon the invitation of the Arab Republic of Egypt, the Ministers for Foreign Affairs of the group of countries neighbouring Iraq, namely the Islamic Republic of Iran, the Hashemite Kingdom of Jordan, the State of Kuwait, the Kingdom of Saudi Arabia, the Syrian Arab Republic, the Republic of Turkey and the Republic of Iraq and as well the Arab Republic of Egypt, and with the participation of the representative of the United Nations Secretary-General, held a meeting in Cairo, on the 4th of Gamadi El Akhar 1425, corresponding to 21 July 2004.

In accordance with the consultations of the Ministers which recalled the conclusions of their previous meetings and related Security Council resolutions, they agreed to the following:

The Ministers:

1. *Welcome* the transfer of authority to the sovereign Interim Government of Iraq and consider this a step towards the formation of an elected and fully democratic representative government in Iraq enabling the people of Iraq to rule themselves and achieve full sovereignty and stability.

2. *Reaffirm* the sovereignty, territorial integrity, political independence and national unity of Iraq, as well as compliance with the principle of non-interference in each other's internal affairs, good-neighbourly relations, stressing the right of the Iraqi people to freely determine their future and exercise full control over their natural and financial resources.

3. *Welcome* United Nations Security Council resolution 1546 (2004), which provides for the end of occupation, the formation of a sovereign interim Iraqi government that assumes authority, pending the election of the transitional government, which will assume the responsibility of governance in accordance with the timetable proposed for Iraq's political process. *Also welcome* the stipulation contained in Security Council resolution 1546 (2004) that the holding of direct democratic elections will in no case be later than 31 January 2005, to elect a transitional National Assembly, which will have responsibility to form a transitional government and draft a permanent constitution leading to a constitutionally elected Iraqi government by 31 December 2005.

4. *Express support* for the efforts of the Interim Government of Iraq to assume its political and security responsibilities, and strengthen the efforts of the Iraqi people to complete the political transition process. The Ministers *also express support* for the Iraqi efforts to reconstruct Iraq, and call upon the international community to support and to promote the appropriate conditions for the success and full realization of this effort.

5. *Re-emphasize* the importance of the support of the United Nations to the Iraqi people during the transition period, and its central role in the ensuing political process including the re-establishment of the governmental institutions, the preparation for holding elections and the drafting of the constitution. The Ministers *also welcome* the efforts of the Secretary-General of the United Nations and his special adviser in this context, and welcome the nomination of the Special Representative of the Secretary-General of the United Nations.

6. *Stress* that the mandate of the Multinational Forces in Iraq be terminated in accordance with paragraphs 4 and 12 of Security Council resolution 1546 (2004), or before in case the Iraqi Government should so request. *Also affirm* that the presence of these forces is subject to the approval of the Interim Government of Iraq and that these forces will act in accordance with international law, including the obligations under international humanitarian law, in particular the Geneva Conventions.

7. *Express their concern* for the continuing unstable security situation in Iraq and its negative impact on the success of the political process, and condemn all terrorist acts against civilians, governmental, humanitarian and religious institutions, as well as international organizations and diplomatic missions operating in Iraq.

8. *Reaffirm* the necessity of eliminating all terrorist and other armed groups present and emanating from Iraqi territory which constitute a danger to Iraq and neighbouring States.

9. *Welcome* the proposal by the Foreign Minister of Iraq to convene a meeting of the Interior Ministers and security officials of the neighbouring countries to address this issue. The Ministers welcome the invitation extended by the Islamic Republic of Iran to host such a meeting.

10. *Condemn* strongly the killing of Kuwaiti and Iranian prisoners of war and third-country nationals by the previous Iraqi regime; the Ministers also condemn the concealment of these crimes for over a decade by the previous Iraqi regime, which is considered a violation of international humanitarian law. They call for the necessity of bringing the perpetrators of these crimes against humanity to trial.

11. *Call upon* the Iraqi people to promote a process of national reconciliation as a basis for building Iraq's future. The Ministers *reaffirm*, in this regard, their desire to see Iraq at peace with itself and with its neighbours.

12. *Welcome* the recognition by the United Nations Security Council of the positive role of Iraqi neighbouring countries, and encourage the initiative of the Secretary-General of the United Nations to develop a substantive dialogue between the neighbouring countries and members of the United Nations Security Council.

13. *Affirm* the importance of continuing the meetings of the Ministers for Foreign Affairs of Iraq's neighbouring countries and convene further meetings to discuss Iraq's developing situation. In this context, they welcome the invitation of the Hashemite Kingdom of Jordan to host the forthcoming meeting.

14. *Express their appreciation* to the Arab Republic of Egypt for hosting the conference.

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Security Council

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26 July 2004

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Letter dated 23 July 2004 from the Permanent Representative of Uganda to the United Nations addressed to the President of the Security Council

I have the honour to refer to the report of the Group of Experts on the Democratic Republic of the Congo, established under the auspices of the Security Council Committee established pursuant to resolution 1533 (2004), contained in document S/2004/551.

The Government of Uganda has noted the contents of the report and its recommendations and would like to make the following comments and observations, particularly in as far as the report makes reference to Uganda:

- Paragraph 21 of the report refers to the challenges to the sovereignty of the Democratic Republic of the Congo posed by alleged intervention and military support provided by Rwanda and Uganda to its allies or proxy forces in the Democratic Republic of the Congo. Uganda wishes to reiterate that it fully supports the Government of national unity in the Democratic Republic of the Congo and regards the political process under way in that country as a purely internal affair of the Congolese people. Uganda does not, therefore, intervene or provide support whatsoever to so-called "allies or proxy forces" in the Democratic Republic of the Congo and the report does not contain any evidence to the contrary.

- Paragraph 21 further acknowledges the continued presence of Ugandan insurgents of the Allied Democratic Forces in the eastern Democratic Republic of the Congo but does not make any recommendations on how to deal with such groups, which continue to pose a security threat to Uganda.

- Paragraphs 25, 27 and 28 underline the problem of weak government infrastructures in the eastern Democratic Republic of the Congo which results in the near absence of border controls on the eastern border. This has resulted in the apparent porosity and permeability of the borders. Uganda believes that this problem can only be solved through the strengthening of the governmental structures of the Democratic Republic of the Congo in these areas. We welcome the recommendations of the Group of Experts contained in paragraphs 110 and 111.

- Paragraphs 31, 32, 33 and 34 contain allegations of connivance by Ugandan police and military in cross-border arms trafficking and violation of customs and immigration procedures. But the report seems to rely on hearsay evidence

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and does not attempt to provide any hard evidence. My Government strongly refutes these allegations. If there is any trafficking it must be perpetrated illicitly by criminal elements on both sides of the border and not with any official sanction. Uganda is tired of reports based on speculation. If there is any Ugandan soldier on the soil of the Democratic Republic of the Congo he should be arrested by MONUC forces.

With regard to paragraph 35, my Government acknowledges the inadequacy of marine patrols on Lake Albert. This, however, is a result of lack or insufficiency of financial resources to adequately equip the marine surveillance services, rather than a deliberate government policy.

My Government vehemently denies any official collaboration with "Chief Kahwa" or "Chief Kisembo" as alleged in paragraph 36 (box) of the report. The conclusion by the Group of Experts of Ugandan complicity in the activities of these people with regard to violation of the arms embargo is totally unsupported by evidence.

Similarly, my Government denies any official collaboration with a "Commander Jerome" as alleged in paragraph 38. It is not true that this person receives any help whatsoever from Ugandan troops as alleged. Ugandan troops in this area are strictly confined to the Ugandan side of the border and have no presence in Aru as alleged. It must be pointed out that cross-border trade between Arua in Uganda and Aru in the Democratic Republic of the Congo has been going on for ages and this fact alone is no evidence of any official Ugandan sanctioning or support of illegal activities in the Democratic Republic of the Congo.

With regard to paragraph 42, my Government regrets that the Group of Experts causally refers to "credible reports of flights ... originating from Uganda to Mongbwalu subsequent to the embargo ..." which the Group says it did not sufficiently investigate. Such casual references in several parts of the report cast unnecessary and unsupported aspersions on the Ugandan Government. The same also applies to paragraphs 62 and 63.

With regard to the statement contained in paragraph 77 about protection provided to relatives of leaders of dissident groups, my Government considers that the crimes of individuals should not be visited upon relatives. Any assistance that may be provided by my Government to such persons is done purely on humanitarian considerations and it is provided in a non-discriminatory manner.

Uganda denies the alleged or any collaboration of "Ugandan officials" with the FDLR group as contained in paragraph 86. The report contains no shred of evidence to support the allegation.

My Government takes due note of the Group's recommendations contained in paragraphs 112, 114 and 115 of the report and undertakes to act on them, within its financial capacity.

My Government also welcomes the recommendations in paragraphs 128, 129 and 130 with regard to the enhancement of the capacity of MONUC. We believe that the robust presence of MONUC, particularly in the eastern Democratic Republic of the Congo, is a necessary prerequisite for the re-establishment of effective authority over the region by the Kinshasa Government.

We believe that solutions to the Congo problems lie not in inquiries by expert groups but rather in strengthening regional cooperation and putting in place effective structures of government. Finger pointing will not help. This is why Uganda has actively taken part in all regional peace processes. We believe also in self-policing and self-monitoring by countries concerned through enhancing their capacities rather than external factors. We also believe that an all-inclusive Government in the Democratic Republic of the Congo will go a long way towards stabilizing the country and the region.

I should be grateful if you would distribute this letter as a document of the Security Council.

(*Signed*) Francis K. **Butagira**
Ambassador, Permanent Representative

United Nations S/2004/592

Security Council

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27 July 2004

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Letter dated 26 July 2004 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter addressed to you from the representative of the Panmunjom Mission of the Korean People's Army dated 22 July 2004, in connection with the impending danger of war, a touch-and-go situation which hangs over the Korean peninsula (see annex).

I should be grateful if you could have the text of the present letter and its annex circulated as a document of the Security Council.

(*Signed*) **Pak** Gil Yon
Ambassador
Permanent Representative

04-44131 (E) 280704

Annex to the letter dated 26 July 2004 from the Permanent Representative of the Democratic People's Republic of Korea to the United Nations addressed to the Secretary-General

Kaesong, 22 July/Juche 93(2004)

I write this letter in connection with the impending danger of war, a touch-and-go situation which hangs over the Korean peninsula due to United States forceful attempts of today to increase its huge armed forces in south Korea.

It may be recalled that the KPA side, through the statement announced on my own on 1 July last year, stated that, if the United States forces in south Korea kick off an arms build-up as planned, it will regard this as United States total defiance of the Armistice Agreement and move towards taking a strong counter-measure to defend the security and sovereignty of the country.

Challenging this, however, the United States is in reach of a great jump of its "RSOI" to $13 billion from its originally planned $11 billion and, in a little under one year since the "RSOI" was made public, it deployed en masse in south Korea latest-type weapons and operational equipments such as Striker armoured vehicles, Shadow 200 unmanned reconnaissance planes, F-117 stealth fighter bombers, M1-AI Abrams tanks and Patriot PAC-3 unit.

On 29 June this year, the United States Defense Department announced its plan and began to deploy three battalions of F-117 stealth fighter bombers under the command of the United States air force at its air base in Kunsan within three months. Before this, the United States made public that it would put on stand-by alert two Aegis destroyers equipped with a highly sophisticated missile system in the East Sea of Korea and deploy two battalions of the latest Patriot missiles in south Korea within this year.

What appears as a more dangerous move is that the United States has already finished its development of a new type of MOP aimed at destroying the Democratic People's Republic of Korea's underground facilities and these missiles to be put into production will soon be supplied first to United States troops in south Korea.

While seeing such a massive build-up by the United States, the KPA side came to conclude that the United States proceeds full steam ahead with preparing a pre-emptive strike against the Democratic People's Republic of Korea.

The United States, perhaps, seems to forget the fact that the Armistice Agreement is nothing but a temporary measure to maintain a tentative ceasefire between two belligerent parties and that both the Democratic People's Republic of Korea and the United States are still technically at war.

Given this belligerency of today, the pre-emptive strike is not something which the United States alone can hold a monopoly for.

The pre-emptive strike is one of the effective defensive means which is firm and swift enough to the enemy at a decisive moment of having seized the enemy attempt, making it possible to hold in check the enemy's attack and defend the security of the country from the aggression of the enemy. It is military common sense.

I inform you of the KPA's renewed solemn declaration; it cannot remain indifferent to the United States ongoing move to reinforce in full its arms build-up behind the six-way talks which only go in circles wasting time over an alleged settlement of the nuclear issue; it will not, in any case, wait with folded arms until the United States is ready to attack and takes an offensive position and even until the Democratic People's Republic of Korea is attacked first by the United States.

This is the firm stand of our army before the war and the enemy.

We see that the war is almost inevitable to break out in Korea as long as the United States does not stop any longer and continues its hostile policy against the Democratic People's Republic of Korea.

The Korean war, if it comes again in future, will be a showdown of conflicts between the fierce United States hostile policy towards the Democratic People's Republic of Korea and the pent-up hatred and indignation of our army and people. This will, in fact, be a do-or-die battle the world has never known in its history entailing the danger of unimaginable horrendous destruction and a great loss of life.

Our army and people have since long prepared for this and they, even for a moment, did not show any sign of let-up in their prepared move to cope with this situation in such a difficult time which goes beyond any stretch of imagination.

We are well aware that we can never defend our faith and future if we fail to have such determination and preparedness.

As the world recognizes, it is the hard fact that the danger of war constantly hovering over the Korean peninsula today stems just from the United States hostile policy towards the Democratic People's Republic of Korea and the occupation of south Korea by the United States forces.

The danger of war cannot be dissipated in Korea nor we can expect to see the peace and security in this region if we do not put an end to the occupation of south Korea by the United States forces which continues for over half a century.

We think that the United Nations is also responsible for the misfortunes and sufferings the Korean people are undergoing today.

The United States had committed brutal atrocities casting the chill over the spine against our people during the three-year Korean war. This was committed under the very flag of the United Nations. We also find that, under the signboard of the United Nations, the United States hostile policy towards the Democratic People's Republic of Korea and its occupation of south Korea continue for the long period of well over half a century.

Moreover, the failure to implement paragraph 60 of the Armistice Agreement envisaging the peaceful settlement of the Korean question and the withdrawal of all foreign troops from Korea also lies in the United Nations which was instigated by the United States to have adopted the resolution putting a fifth wheel in the implementation of paragraph 60 of the Armistice Agreement.

What we find still hard to bear is that the United Nations has not yet implemented the resolution to this day even after 29 years since the United Nations itself had adopted it calling for dissolving the "United Nations Command" and withdrawal of the United States forces from south Korea.

I think all these facts invited the world people to cast their doubts over the justified existence of the United Nations, only to put the United Nations in a situation where it impaired its own authority due to its unequal behaviour of accommodating the interests of big countries at the cost of small countries.

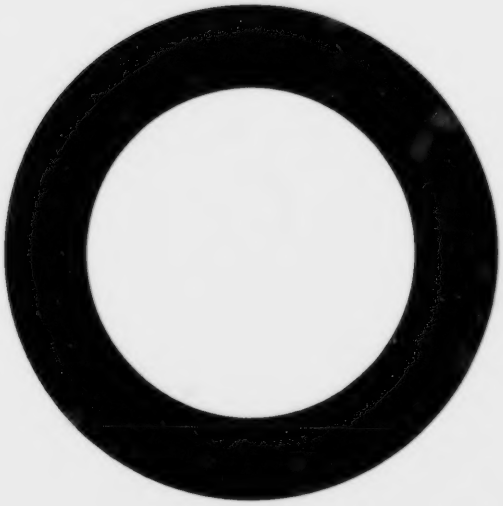
If the United Nations recognizes it is one of the signatories to the Korean Armistice Agreement, it is par for the course that it should implement paragraph 60 under the obligations of the Agreement it signed, thus to settle as soon as possible the issues of the peaceful settlement of the Korean question and the withdrawal of all foreign troops.

If the United Nations, however, maintains that its name was merely misused by the United States and that a real signatory to the Armistice Agreement is the United States and, if this is the case, the United Nations should take the practical measures to dissolve the "United Nations Command" created by the United States. By doing so, the United Nations should see to it that the United States no longer dishonours the sacred name of the United Nations.

This will, as well, fully accord with the United Nations resolution 3390 B (XXX) adopted on 18 November 1975.

I expect the United Nations, assuming a noble peacekeeping mission, will not paper over highhanded arbitrary acts of the United States which has a notorious and overbearing manner, but will implement paragraph 60 of the Armistice Agreement which foresaw the peaceful settlement of the Korean question and withdrawal of all foreign troops as well as the resolution adopted at the thirtieth session of the United Nations General Assembly calling for the withdrawal of the United States troops from Korea, thereby making an active contribution to ending soon the occupation of south Korea by the United States troops and promoting the peace and security of Korea and the rest of the world.

Col. Gen. Ri Chan Bok
Representative
Panmunjom Mission
Korean People's Army



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Letter dated 26 July 2004 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

Further to my letter addressed to you on 21 July 2004 transmitting the reply of my Government to the report of the Group of Experts established by Security Council resolution 1533 (2004), I have the honour to transmit herewith the annex referred to in paragraph 4 of the reply (see annex).

This document will demonstrate that nearly all the information provided by the Rwanda Government, including responses to specific questions, was completely ignored or trivialized. The Rwanda Government therefore takes this opportunity to reiterate its view that the report of the Group of Experts is partial and therefore lacking credibility.

We request that the present letter and its annex be circulated to all members of the Committee of the Security Council established by resolution 1533 (2004), and other members of the Council, as a document of the Security Council.

(*Signed*) Stanislas **Kamanzi**
Ambassador
Permanent Representative

04-44074 (E) 300704

Annex to the letter dated 26 July 2004 from the Permanent Representative of Rwanda to the United Nations addressed to the President of the Security Council

Arms embargo enforcement

What concrete steps has the Government of Rwanda taken to enforce the arms embargo which was set up pursuant to Security Council resolution 1493 (2003)?

New legislation, regulations and administrative measures have been put in place to help in this endeavour. The Focal Point on Arms control has been put in place as a prevention measure. As signatory, Rwanda introduced increased border controls.

Does the Government of Rwanda have information regarding violations of the fore-mentioned arms embargo?

The Government of the Democratic Republic of the Congo continues supplying arms to Rwandan Liberation Army (ALIR)/Forces démocratiques de libération du Rwanda (FDLR)/Forces combattantes Abacunguzi (FOCA) Interahamwe and ex-Forces armées rwandaises (FAR) forces, who are still fighting since 1994. Nobody would convince us that they are still using the same weapons they carried with them to the Democratic Republic of the Congo 10 years ago. We have accurate information thanks to numerous returnees among whom high-ranking military officers.

Does the Government of Rwanda have any recommendations that would help enforce the arms embargo?

The All-Inclusive Agreement on the Transition in the Democratic Republic of the Congo should be implemented by the transitional Government of the Democratic Republic of the Congo, which should agree and speak the same language on their issues instead of wrongly shifting all the blame onto somebody else, particularly Rwanda.

The key issue that continues to cause problems in the region is the failure by consecutive Zairean/Democratic Republic of the Congo Governments since 1994 to disarm, demobilize and repatriate for reintegration in Rwanda of the ex-FAR/Interahamwe forces as requested, agreed and signed in the bilateral, Pretoria and Lusaka Agreements. If done, we strongly believe that it would resolve existing and potential conflicts and stop subsequent trafficking of arms not only in the Democratic Republic of the Congo but also in the region.

Reinstate the verification mechanisms of the Pretoria and Lusaka Agreements, as the previous ones were never allowed to work fully.

Information has been provided to the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) and the third party verification mechanism in the past and even today to MONUC alone, but surprisingly nothing or very little has been done. MONUC should move from inertia to action. Moreover, our intelligence reports help those we are supposed to be disarming, demobilizing for repatriation and reintegration. This is a serious matter and a concern over the credibility of MONUC in the whole exercise.

Lack of good will on behalf of the Government of the Democratic Republic of the Congo to control its borders and organize its customs stems from the non-implementation of the All-Inclusive Agreement and the establishment of various institutions by the transitional government in Kinshasa.

The implementation by the Government of the Democratic Republic of the Congo of the Nairobi Declaration on small arms is still waited for to curb on illegal flow of arms trafficking from Congo.

The international community has never spoken the same language on arms embargo in the Congo. When some talk of disarming ex-FAR/Interahamwe, others are busy arming and/or rearming them. The United Nations Security Council should take this matter more seriously, starting from its own members so as to give a good example to others.

What is the status of the Government of Rwanda's implementation of the Nairobi Declaration on Small Arms?

The Government of Rwanda has put in place the National Commission against Small Arms and Light Weapons, which is composed of the Ministry of Internal Security, the Ministry of Defence, the Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Commerce and the Ministry of Finance. The Commission was later enlarged to include the Customs, Immigration and National Security Services.

The Government of Rwanda, in November 2003, put in place the national focal point with legislation (the 1979 law was modified in 2000), regulations and administrative measures that help in controlling the import, transfers or transit of small arms and/or light weapons (a new draft law is being tabled). The launch of the national focal point was done during a seminar on small and light weapons organized at Kigali Novotel Hotel last year. The Focal Point was also later enlarged by including members of the civil society such as Safer Rwanda, CLADHO, CCOAIB.

Rwanda is signatory to the United Nations Programme of Action to prevent, combat and eradicate the illicit trade in small arms and light weapons. At the continental level, Rwanda is not only signatory to the Nairobi Declaration (March 2004) but also participates in other several meetings on the issue.

Internal and border security

What are Rwanda's border security concerns with the Democratic Republic of the Congo?

The presence of ALIR/FDLR/FOCA or ex-FAR/Interahamwe on Democratic Republic of the Congo territory and subsequent continued and repeated infiltrations they organize against Rwanda.

The failure by the Democratic Republic of the Congo and the international community to implement disarmament, demobilization, rehabilitation and reintegration as agreed in different agreements and referred to by United Nations Security Council resolutions is a constant security concern indeed.

International laws, bilateral and regional agreements have never been considered by the Democratic Republic of the Congo with regard to their implementation.

Due to a large influx of returnees from Congo (1996 onwards) and bearing in mind that the Government of Rwanda has no screening capacity to deal with returnees and their lots of luggage on one hand; remembering that on the other hand the Government is duty bound to assist returnees, the Government of Rwanda's security concerns rise from that lack of logistics, food and transportation means.

The Government of Rwanda, because of the failure of MONUC to disarm ALIR/FDLR/FOCA ex-FAR/Interahamwe, has been forced to step up deployments. This is an overstretching of the existing capacity and forces the government into unplanned expenses.

What constraints does the Government of Rwanda have in maintaining border security vis-à-vis armed groups operating across its border with the Democratic Republic of the Congo? How, if at all, are these armed groups or arms traffickers able to take advantage of Rwandan infrastructure, including road transport and aviation?

Keeping an eye on ALIR/FDLR/ex-FAR/Interahamwe and keeping them at bay is a constraint in itself but they have never been allowed to operate in Rwanda.

Do you have information on activities carried out by dissident armed groups operating within or from the Democratic Republic of the Congo that impact Rwandan security? This includes business interests, consultations, illegal arms procurement and any other form of direct or indirect assistance.

See annexes A, B and C.

Records or transcripts of conversations between Forces armées congolaises and ex-FAR/Interahamwe on how to attack Rwanda are available for consultation. These were made public to members of the Diplomatic and Consular Corps during the briefing of 6 June 2004 at the Ministry of Foreign Affairs. Returnees from the Democratic Republic of the Congo also constitute a reliable source of information on activities carried out by ALIR/FDLR/FOCA/ex-FAR/Interahamwe operating in the Democratic Republic of the Congo.

What is the nature of Government of Rwanda interaction with authorities in the Kivus concerning border security issues, e.g.: information sharing, agreements on repatriation of alleged criminals, joint security patrols?

After the signature of the All-Inclusive Agreement on 11 December 2002 by Congolese, the Government of Rwanda only deals with the central Government in Kinshasa.

What are the Government of Rwanda concerns regarding the implementation of multilateral and bilateral agreements or verification mechanisms to address mutual security concerns between the Republic of Rwanda and the Democratic Republic of the Congo?

Agreements exist but their implementation has failed due to the lack of commitment on behalf of consecutive Zairean/Congolese Governments since 1994 until today. Shifting the blame on Rwanda for all Congolese evils by the Government of the Democratic Republic of the Congo and by some members of the

international community obviously does not solve the problem, as they go away from its root causes. Unfortunately, this option of easy way out has become the trend and only can encourage the Government of the Democratic Republic of the Congo to keep the status quo ...

Immigration and customs

What are the Republic of Rwanda's border crossing points?

The border crossing points are those points determined by the ministerial decree No. 08.09/Fin.4 of 27 July 1968 and implementation measures of Customs Law of 17 July 1968.

To date 17 border posts are operational.

How many customs officers are currently deployed at border crossing points between the Republic of Rwanda and the Democratic Republic of the Congo?

They were six to start with then increased to nine officers assisted by many police and immigration officers.

Has this number changed over time since the implementation of the arms embargo?

Yes.

What are opening hours at cross border points?

From 7 a.m. to 6 p.m.

How does the Government of Rwanda ensure sufficient control over its borders?

By increasing efficient and effective border patrols, logistics and manpower in border control. Increased number of qualified members from all stakeholders.

Has the Government of Rwanda granted any Congolese citizens a Rwandan passport?

Yes, official passports, on temporary terms for facilitation purposes during past peace negotiations.

Relations with foreign armed groups

Do you maintain a relationship with any of the Ituri or Kivu-based armed groups or other armed groups not a party to the All-Inclusive Agreement which is either of a military or non-military nature?

No.

Could you provide detailed information on security concerns posed by Rwandan rebel groups in the Democratic Republic of the Congo? Are they receiving any external support that could be construed as being in violation of Security Council resolution 1533 (2004)?

Please refer to Lusaka and Pretoria Agreements, they are called negative forces rather than Rwandan rebels. They are known as Interahamwe and ex-FAR, ALIR, FDLR and now called FOCA but these are different names referring to the same

guys. The current estimated strength is 20,000. For the equipment see annex D and they continue to be equipped by the Kinshasa Government.

Infiltrations from the Democratic Republic of the Congo (see annexes B and C).

More generally, does the Government of Rwanda have knowledge of, and documentation on, foreign forces or entities operating in the Democratic Republic of the Congo?

Yes. ALIR/FDLR/FOCA/ex-FAR/Interahamwe, Belgian (leading a peace support operation to train an integrated Congolese Brigade in Kisangani), MONUC ...

Is the Government of Rwanda aware of cases of arms trafficking across the border between the Republic of Rwanda and the Democratic Republic of the Congo?

No.

If so, could the Government of Rwanda provide a detailed account of them?

N/A.

Is the Government of Rwanda aware of other cases of violations of the Democratic Republic of the Congo arms embargo?

Yes, by the Government of the Democratic Republic of the Congo in violation of Lusaka and Pretoria Agreements. The ALIR/FDLR/FOCA/ex-FAR/Interahamwe, etc. ...

Aviation

What are the airlines or aircraft under contract with the Ministry of Defence or other Rwandese authorities, whether civilians or military, since July 2003?

None.

Could the Group of Experts have a copy of the contracts?

N/A.

When these aircraft operate, are they considered to be military flights? If this is the case, for what purpose?

N/A.

Do they clear customs when arriving in a neighbouring country?

N/A.

Could we have access to the Antonov 32 that made a force landing at Kigali end of May 2004?

Access to Antonov 32 is fully granted to the Group of Experts and Mr. Victor Dupere, a member of the team, inspected the aircraft on 22 June 2004.

Additionally, the Group of Experts could appreciate the opportunity to discuss with the Government of Rwanda allegations concerning Rwandan Government forces involvement in the Democratic Republic of the Congo since the imposition of the arms embargo.

False allegations, but please feel free to come and discuss the matter with Ambassador Joseph Mutaboba and other officials.

Finally, the Group of Experts would like to ask to be granted special permission to cross the Rwandan border at Gisenyi to enter into the Democratic Republic of the Congo.

This is another issue and should be subject of a different note verbale.

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Draft resolution

The Security Council,

Recalling its previous resolutions and the statements by its President concerning the Democratic Republic of the Congo, in particular resolutions 1493 of 28 July 2003 and 1533 of 12 March 2004,

Reiterating its concern regarding the presence of armed groups and militias in the Eastern part of the Democratic Republic of the Congo, particularly in the provinces of North and South Kivu and in the Ituri district, which perpetuate a climate of insecurity in the whole region,

Condemning the continuing illicit flow of weapons within and into the Democratic Republic of the Congo, and *declaring* its determination to closely monitor compliance with the arms embargo imposed by its resolution 1493 of 28 July 2003,

Taking note of the report and of the recommendations of the Group of experts referred to in paragraph 10 of resolution 1533, dated 15 July 2004 (S/2004/551), transmitted by the Committee established in accordance with paragraph 8 of the same resolution (hereafter the Committee),

Noting that the situation in the Democratic Republic of the Congo continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Reaffirms* the demands of paragraphs 15, 18 and 19 of resolution 1493;

2. *Decides*, in light of the failure by the parties to comply with these demands, to renew, until 31 July 2005, the provisions of paragraphs 20 to 22 of resolution 1493 and all the provisions of resolution 1533;

3. *Expresses its intention* to modify or to remove those provisions if it determines that the demands noted above have been satisfied;

4. *Decides* further that it will review those measures by 1 October 2004, and periodically thereafter;

5. *Requests* to this end the Secretary-General, in consultation with the Committee, to re-establish, within thirty days from the date of adoption of this resolution, and for a period expiring on 31 January 2005, the Group of experts referred to in paragraph 10 of resolution 1533;

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6. *Requests* the Group of experts above to report to the Council in writing before 15 December 2004, through the Committee, on the implementation of the measures imposed by paragraph 20 of resolution 1493, with recommendations in this regard, in particular regarding the lists provided for by paragraph 10-g of resolution 1533;

7. *Decides* to remain actively seized of the matter.

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Letter dated 26 July 2004 from the Permanent Representative of Georgia to the United Nations addressed to the President of the Security Council

I have the honour to write to you and, through you, to draw the attention of the Security Council to the recent developments in the conflict resolution process in Abkhazia, Georgia, and to highlight some of the changes and achievements that have taken place in Georgia under the new Government, particularly as they relate to the peace process. Some of them are reflected in the Secretary-General's report.

Above all, we would like to reiterate that Georgia is committed to the peaceful resolution of the frozen conflict in Abkhazia, Georgia, despite what one might hear regarding the alleged aggressiveness of the new Government. Let me underline that there is no single member of the new Government who advocates violence. It is only through peaceful, negotiated means that we envision the resolution of the conflict.

We have begun and have achieved considerable success in realistically fighting corruption and organized crime in Georgia, a task that some time ago seemed insurmountable. We took the fight with criminals all across the country, but I would particularly like to highlight the achievements as they relate to Abkhazia, Georgia:

- We have disarmed and neutralized illegal armed formations, which had no connection either to the Government or to internally displaced persons.
- We have detained several criminal groups which operated in western Georgia, particularly in the Samegrelo and Svaneti regions — areas adjacent to Abkhazia — and which were involved in kidnappings, including the abduction of UNOMIG personnel.

We have to reiterate our regret that the investigation of the shooting down of the UNOMIG helicopter is being carried out only partially. Despite our and UNOMIG's countless requests, the Abkhaz separatist leadership are refusing to allow the investigation to be carried out in the territory under their control — it does seem that they do have something to conceal.

Let me restate that we have begun a relentless fight against anyone who chooses a criminal path. In this context, we cannot but commend and support the introduction of the civilian police component in Gali district. However, unfortunately, the Abkhaz separatist authorities are continuing to obstruct the unit's full deployment.

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More than four years have elapsed since the agreement and support by the Group of Friends of the so-called Boden document on the basic principles of distribution of competences between Tbilisi and Sokhumi. The Russian Federation, as a special facilitator, has been trying to transmit the paper to the Abkhaz side but without much success. We still hope that with increased and more persistent involvement of our Russian colleagues we will be able to begin meaningful deliberations on the political status of Abkhaz, based on the above-mentioned document.

We are actively participating in the Geneva process and rest much hope on its successful development. Unfortunately, the Abkhaz side refused to participate in the last meeting. We believe this decision should be most alarming and unacceptable for all parties involved in the resolution of the conflict. The Security Council and the entire international community should pay more attention to the unconstructive position of the Abkhaz side.

In this regard, the upcoming elections for de facto president of the separatist regime may bring some new elements to the peace process. While these elections are clearly illegal and illegitimate, we still hope that the new leadership of the secessionists may take more constructive and responsible positions. Here I have to recall the idea which was considered previously in recent years — the Security Council's visit to Abkhazia, Georgia. It might be exactly the right time to learn the reality on the spot and demonstrate to the new leadership of the separatists the will and vision of the international community.

Unfortunately, we still continue to witness processes which can hardly be considered as aimed at a peaceful resolution of conflicts in Georgia. The visa-free regime on the Abkhaz and former South Ossetian segments of the Georgian-Russian State border is still enforced; granting of Russian citizenship to the population of the separatist regions is practically completed; illegal acquisition of land and property in Abkhazia, Georgia, still continues; training of the representatives of Abkhaz separatists in military schools of the Russian Federation is still taking place; the issue of the military base in Gudauta is still unresolved; and from time to time hundreds of armed mercenaries are entering Georgian territory from Russia to conduct so-called "joint manoeuvres".

Here, I have to turn to the problem which was the subject of thorough discussion during recent months — the return of refugees and internally displaced persons. We highly welcome putting this issue at the front line of the peace process. But the discussions have been going on for years and years, while these human beings are still deprived of their right to return to their homes. In fact, again, if the Council decides to visit Georgia, you will see with your own eyes hundreds of thousands of men, women and children who are overwhelmed with the feeling that they have been left behind and forgotten, people who are deprived of their basic right, the right to live in their own homes, speak and raise their children in their native language, and pursue happiness under secure and dignified conditions. There must be an end in sight for the troubles of these people.

We do believe that the way out of this situation lies through the unified and resolute Security Council, capable of taking decisive actions. The Security Council should utilize all resources to ensure progress in the peace process, in particular the return of the refugees and internally displaced persons, political and security issues and economic cooperation.

We do believe that under the present circumstances only a firm position taken by the Security Council will finally be heeded by the Abkhaz separatists and have an impact on them.

We have all to commit ourselves not only to changing things that ought to be changed in the process of conflict resolution, but also make sure that they are balanced and lead to restoring long-awaited peace in Abkhazia, Georgia.

I should be grateful if you would have the text of the present letter circulated as a document of the Security Council.

(*Signed*) Revaz **Adamia**
Ambassador
Permanent Representative

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General Assembly
Fifty-eighth session
Agenda item 30
Question of Cyprus

Security Council
Fifty-ninth year

Letter dated 23 July 2004 from the Permanent Representative of Cyprus to the United Nations addressed to the Secretary-General

I would like to bring to your attention the following confidence-building measures that the Government of the Republic of Cyprus announced on 16 July 2004 aimed at promoting cooperation and confidence between the two communities in Cyprus and developing a sense of security among Greek Cypriots and Turkish Cypriots, thus contributing to the efforts towards resolving the Cyprus problem.

The Government proposed the opening of eight additional crossing points along the ceasefire line, demining by both sides of the existing minefields, disengagement of military forces from the walled part of the capital, Nicosia, and from the wider Dherinia-Famagusta and Strovilia areas, as well as restricting military manoeuvres. Of the eight new crossing points proposed, four are of top priority and provide for the crossing of people, vehicles and goods. Those four crossing points are: Kato Pyrgos-Karavostasi, Astromeritis-Zodia Morphou, Dhali-Louroujina and Dherinia-Famagusta. Along the proposed crossing points there exist minefields, mainly of the occupation army, that need to be dismantled in order to create conditions of security and safety. In particular, the opening of the Dherinia-Famagusta crossing point will benefit both Greek Cypriots and Turkish Cypriots, especially the latter, in transporting their goods to the government-controlled area, thus enabling them to use the Republic's ports for exporting their products.

The other four crossing points proposed to be opened at a later stage are Pomos-Pachyammos-Kato Pyrgos, for vehicles and goods, Ledra Street for pedestrians and cyclists, Athena Avenue-Agios Kassianos for people and vehicles and the area of Kantara Avenue-Mia Milia for vehicles, goods and people.

The Government also proposed that the process of demining, which has already been started unilaterally by the Government of the Republic of Cyprus for minefields of the National Guard within the buffer zone, be extended for reasons of security and safe traffic of goods and people by both sides. It should be noted that the Republic of Cyprus has ratified the Ottawa anti-personnel mine ban convention, which came into effect in Cyprus on 1 July 2003, and has since proceeded with the destruction of 4,000 anti-personnel mines. Although Turkey has also ratified the

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Ottawa convention, it has not shown, as yet, any inclination or willingness to do likewise in the occupied area of Cyprus.

The confidence-building measures also include a proposal for the unmanning of military posts in the walled town of Nicosia and in the area of Dherinia-Famagusta, and the prohibition of military manoeuvres across the ceasefire lines and extending two kilometres on either side of the lines.

Furthermore, the Government proposed the reopening of the port of Famagusta in a legitimate manner for the benefit of both communities and in conjunction with the return of the closed town of Famagusta (which has been occupied and has remained a "ghost town" since 1974) to its lawful inhabitants.

We believe that the implementation of these measures will make an important contribution in further defusing tensions on the ground and in improving conditions for allowing the mingling together and cooperation between members of the two communities in Cyprus. In particular, at this juncture, it is essential to help all Cypriots to remain focused on the prospect of the reunification of their country.

Accession to the European Union is already playing a constructive role and is creating a new dynamic in this direction, and we hope a new window of opportunity for a settlement will open soon that will respond to the aspirations of all Cypriots. We expect that the United Nations, through its good offices mission, will once again play a central role.

We earnestly hope that the Turkish side will adopt a constructive approach and cooperate in the implementation of the above measures for the benefit of all.

I should be grateful if you would have the present letter circulated as a document of the General Assembly, under agenda item 30, and of the Security Council.

(*Signed*) Andreas D. **Mavroyiannis**